

Notice of Allowability

Application No.

09/387,381

Examiner

Thu Thao Havan

Applicant(s)

PADALINO ET AL.

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/21/04.
2. ☒ The allowed claim(s) is/are 1-5, 7, 8, 10-13, 16-35, 37, 38, 56-61, 69, 70 and 76.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Detailed Action

Drawings

The Examiner accepts the drawings filed on September 2, 1999.

Allowable Subject Matter

Claims 1-5, 7, 8, 10-13, 16-35, 37, 38, 56-61, 69, 70 and 76 are allowed.

The following is an examiner's statement of reasons for allowance: The present invention generally discloses automated financial transactions using an interactive voice response for debiting and settling emergency cash transactions. The prior arts of record include the teaching of Jennings et al (US 5,794,218), Marcous et al. (US 5,650,604), and non-patent literature titled "Electronic Evolution". Jennings teaches telephone-based interactive performance of financial transactions in multiple languages. On the other hand, Marcous teaches electronic transfer of funds using an automated teller machine. Lastly, Article titled "Electronic Evolution" teaches the usage of IVR systems for providing telephone banking services such as balance inquiries, bill payments and transfers between accounts. However, the prior arts of record fail to teach, singly or in combination, automatically initiating a settlement of the financial transaction consisting at least in part of communicating an approval by the currency-dispensing entity of the financial transaction to the caller's home bank via the interactive voice response system and on-line debiting of the caller's settlement account and corresponding credit of a currency-dispensing entity account via the interactive voice response system and the central network.

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The examiner agrees with the applicants' arguments presented in the Appeal Brief of January 21, 2004 and has withdrawn the rejection under 35 USC 102 over Jennings and 35 USC 103 over Jennings in view of Marcous and further in view of "Electronic Evolution". The prior arts of records taken singly or in combination fail to teach or fairly suggest the claimed invention. Therefore, the examiner favors the allowance of claims 1-5, 7, 8, 10-13, 16-35, 37, 38, 56-61, 69, 70 and 76.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
5/5/2006

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

A handwritten signature in black ink, appearing to read "Vincent Millin", written in a cursive style.